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11 *Attorneys for Defendants Tesla, Inc., Elon Musk,*

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12 *Antonio J. Gracias, James Murdoch, Kimbal Musk,*

13 *And Linda Johnson Rice*

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16
17 IN RE TESLA, INC. SECURITIES
18 LITIGATION

Case No. 3:18-cv-04865-EMC

19 **DEFENDANTS' MOTION TO REMOVE**
20 **INCORRECTLY FILED ECF NO. 403**
21 **FROM THE COURT'S DOCKET; ORDER**
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1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Defendants Tesla, Inc., Elon Musk, Brad W. Buss, Robyn
3 Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and Linda Johnson Rice
4 (together, “Defendants”) hereby respectfully request that an order be granted to remove Docket No.
5 403 from the ECF docket for this matter on the grounds that an excerpt therein was inadvertently filed
6 publicly and not under seal.

7 On April 22, 2022, Defendants filed a Renewed Administrative Motion to File Documents
8 Under Seal (“Motion to Seal”) (ECF Docket No. 403), requesting that the Court seal the confidential,
9 redacted portions of the documents attached to the Motion to Seal, as stated therein. One of the
10 exhibits to ECF. No 403 inadvertently omitted a redaction of confidential third-party information that
11 was intended to be, and should have been, redacted at the time of filing. A prior request to seal this
12 information (ECF No. 362), had been granted by the Court in its Order at ECF No. 387.

13 Defendants promptly notified the Court’s Civil Case Docketing & Docket Correction, as well
14 as the ECF Help Desk, of this filing error in an attempt to block public access to the inadvertently
15 filed documents pending the resolution of this motion.

16 Defendants respectfully move the Court to remove the incorrectly filed document permanently
17 from the Court’s public docket and ECF. Defendants will file a corrected version of the documents
18 shortly.

19 **CONCLUSION**

20 For the foregoing reasons, Defendants respectfully request that the Court remove ECF No. 403
21 from the public docket permanently.

22 DATED: April 23, 2022

Respectfully submitted,

23 QUINN EMANUEL URQUHART & SULLIVAN, LLP

24 By: /s/ Alex Spiro

25 Alex Spiro (*appearing pro hac vice*)
26 Attorneys for Tesla, Inc., Elon Musk, Brad W. Buss,
27 Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias,
James Murdoch, Kimbal Musk, And Linda Johnson Rice

I, Jeanine Zalduendo, am the ECF user whose ID and password are being used to file the above motion. In compliance with Local Rule 5-1(h)(3), I hereby attest that Alex Spiro has concurred in the filing of the above motion.

DATED: April 23, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /S/ Jeanine Zalduendo
Jeanine Zalduendo

ORDER

The Court has now considered Defendants Tesla, Inc., Elon Musk, Brad W. Buss, Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and Linda Johnson Rice (together, “Defendants”) Motion to Remove Incorrectly Filed Docket No. 403 from the Court’s docket. Having considered the moving papers before it and finding good cause,

The Court hereby grants the Motion and orders that Docket No. 403 be removed from the docket for this matter.

IT IS SO ORDERED.

Dated: May 9, 2022



HON. EDWARD M. CHEN
United States District Judge